

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:) Bankruptcy Case No. 20-23110-GLT
Brian Keith Adams,)
Debtor,) Chapter 13
)
Brian Keith Adams,) Related to Document Nos. 129, 132, 134
Movant,)
v.)
Limosa LLC and Ronda J. Winnecour,)
Chapter 13 Trustee,)
Respondents.) Document No.

STATUS REPORT

AND NOW comes the Debtor, Brian Keith Adams, by and through his counsel of record, Calaiaro Valencik and Donald R. Calaiaro, and presents the following *Status Report* in compliance with the Court's Order dated May 9, 2023:

1. On February 8, 2023, the Debtor, Brian Keith Adams, filed a Motion captioned: *Motion for an Order (I) Enforcing the Chapter 13 Plan, (II) Compelling the Vacation of the Sheriff's Sale, the Return of the Deed to the Debtor and the Satisfaction of Mortgage, and (III) Granting Related Relief* (the "Enforcement Motion"). Doc. No. 129.

2. The purpose of the Enforcement Motion was to compel Limosa LLC, the purported mortgage holder, “to correct the record” by (i) vacate the sheriff’s sale of the Debtor’s residence located at 707 Willow Street, Connellsville, PA 15425 and (ii) satisfy its mortgage. This was necessary since Limosa LLC was paid in full during the bankruptcy proceedings. See generally, the *Enforcement Motion*, Doc. No. 129.

3. Limosa LLC did not oppose the Enforcement Motion. Accordingly, this Court entered an order granting the Enforcement Motion by default on February 28, 2023 (the “Enforcement Order”). See Doc. No. 132.

4. The Enforcement Order orders Limosa LLC “to vacate the Sheriff Sale of 707 Willow Street, Connellsville, PA 15425 at Case No. 2538 of 2019 GD in the Court of

Common Pleas of Fayette County, Pennsylvania,” and to “satisfy the Mortgage on 707 Willow Street, Connellsville, PA 15425 because [Limosa LLC] was paid in full under the Chapter 13 Plan dated November 22, 2021.” See generally, the *Enforcement Order*, Doc. No. 132.

5. As of the date of this Status Report, Limosa LLC has not complied with the Enforcement Order.

6. Limosa LLC filed a Satisfaction and Release of the Mortgage with the Department of Real Estate of Fayette County, Pennsylvania. The Satisfaction can be found at Instrument No. 202300000851, Book 3539, Page 50.

7. However, Limosa LLC has not taken any action to vacate the Sheriff’s Sale. As a result, the docket from the Court of Common Pleas of Fayette County, Pennsylvania still reflects that a Sheriff Sale occurred but has never been vacated.

8. Moreover, the Debtor has not be served or received notice from Limosa LLC of its intention to present an order vacating the Sheriff Sale.

9. It is the Debtor’s position that Limosa LLC may be in contempt of the Enforcement Order due to its failure to vacate the Sheriff Sale.

It is so reported.

Respectfully Submitted,

DATE: June 8, 2023

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